



U.S. DISTRICT COURT  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 12/29/2020  
Lyle J. Zuckerman  
212-603-6452 tel  
212-379-5222 fax  
lylezuckerman@dwt.com

December 28, 2020

Hon. Andrew L. Carter, Jr.  
United States District Court  
Southern District of New York  
40 Foley Square, Room 435  
New York, NY 10007

MEMO ENDORSED

Re: Wolfenden v. Acoustic, L.P., et al., Case No. 20-cv-06307

Dear Judge Carter:

As counsel for defendant Acoustic, L.P. (“Acoustic”), we write to request – on a joint basis, along with counsel for all other parties in the case – a stay of the existing briefing schedules in connection with the defendants’ separate impending motions to dismiss, ordered on December 2, 2020. The parties request this stay pending private mediation, which the parties have scheduled for January 6, 2021. If the Court grants the requested stay, the parties will update the Court in writing, by January 11, 2021, as to whether or not the defendants’ separate Rule 12 motions are still necessary.

On December 2, 2020, the Court ordered that the following briefing schedule be applied to the defendants’ separate Rule 12 motions:

- Deadline for moving party to file moving papers: January 7, 2021;
- Deadline for Plaintiff to file papers in opposition to each motion: January 28, 2021;
- Deadline for moving party to file reply papers: February 11, 2021.

This is the parties’ second request for a stay in connection with the briefing of the defendants’ separate motions to dismiss. The parties’ request, if granted, would not have an impact on other deadlines in the case.

Thank you for your consideration.

Respectfully,

/s/ Lyle Zuckerman

**It is hereby ORDERED that all deadlines in this case are adjourned sine die. The parties are hereby ORDERED to submit a joint status report by no later than January 11, 2021, including an updated briefing schedule on the motions to dismiss if necessary.**

SO ORDERED:

HON. ANDREW L. CARTER, JR.  
UNITED STATES DISTRICT JUDGE  
Dated: December 29, 2020

DWT.COM

Anchorage | Bellevue | Los Angeles | New York  
Portland | San Francisco | Seattle | Washington, D.C.